

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, NOVEMBER 9, 1999  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Larry Hudkins, Vice Chair  
Bernie Heier  
Linda Steinman  
Bob Workman

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
Dave Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Attorney

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, November 2, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)**

**MOTION:** Heier moved and Hudkins seconded approval of the minutes of the Board of Equalization dated November 2, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 128 additions and deductions to the tax assessment rolls per Exhibit "A". (19992214) (19992125)**

**MOTION:** Workman moved and Hudkins seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

- 3) **APPROVAL OF THE FOLLOWING MOTOR VEHICLE TAX EXEMPTIONS:**

**Capital Humane Society**

**MOTION:** Steinman moved and Heier seconded approval of a motor vehicle tax exemption for the Capital Humane Society. On call Steinman, Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

- 4) **NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY:**

**Guidance Al-Hedayah Foundation**

The Clerk noted that the valuation change for Guidance Al-Hedayah Foundation was withdrawn.

### **University of Nebraska Tech Park LLC**

The Assessor recommended a value of \$330,784.

Tom Houston, attorney representing the University of Nebraska Tech Park LLC and the University of Nebraska Foundation, stated the property had been owned by the University of Nebraska Foundation until August 25, 1999. At that time it was transferred to the University of Nebraska Technology Park LLC. He stated the property has been ground leased to Southeast Community College who will be filing an application for its exempt purposes for the Nebraska Center for Excellence in Electronics. Houston stated a deed has been prepared to put the property back in the name of the University of Nebraska Foundation.

The Assessor stated the deed should be filed prior to December 31, 1999 and then the property would become exempt.

**MOTION:** Steinman moved and Heier seconded to accept the Assessor's recommendation and establish the value at \$330,784 for University of Nebraska Tech Park LLC. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

5) **ADJOURNMENT:**

By direction of the Chair, the Board of Equalization meeting was adjourned.

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Bruce Medcalf  
County Clerk

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- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, November 2, 1999. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Steinman moved and Heier seconded approval of the Board of Commissioners minutes dated November 2, 1999. On call Campbell, Hudkins, Heier, Workman and Steinman voted aye. Motion carried.

- 2) **CLAIMS:** Approval of all claims processed through Tuesday, November 9, 1999.

**MOTION:** Workman moved and Hudkins seconded approval. On call Heier, Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

**INTRODUCTION OF PLANNING DIRECTOR, KATHLEEN SELLMAN:**

Kathleen Sellman, Planning Director, was introduced by John Bradley and Mike DeKalb of the Planning Department.

- 3) **SPECIAL PRESENTATIONS:**

Gary Chalupa, County Veterans Service Officer; Rick Ringlein, Deputy County Veterans Service Officer and Jim Cada, Chair of the County Veterans Service Committee recognized Veterans Day.

Chalupa stated that Armistice Day was originated in 1926 in response to the strong desire to honor veterans of World War I. Twelve years later Congress designated that day as a national holiday and in 1954 Congress amended its act of 1938 by replacing the word armistice with the word veterans, marking November 11<sup>th</sup> as a national holiday and naming it Veterans Day to honor American veterans of all wars.

Rick Ringlein, Deputy County Veterans Service Officer, stated Veterans Day is a day to review memories of past honor and extraordinary courage, a day to celebrate peace and victories and day to honor the Americans sacrificed in war and pay our respects to those who survived.

Jim Cada, Chair of the County Veterans Service Committee, stated he appreciates the support that the County Board has given to the Veterans Service Officer, their office and staff and also noted they are doing an excellent job in assisting veterans. He invited the Board to attend a ceremony for veterans on Thursday, November 11, 1999 at Antelope Park.

4) **PUBLIC HEARINGS:**

- A. **County Special Permit 170, Hilltop Estates Community Unit Plan, requested by Brian Carstens on behalf of Bill Carlson, for eight dwelling units, on property located at South 82<sup>nd</sup> Street and Pella Road in Lancaster County, Nebraska. (19992148)**
- B. **County Preliminary Plat 99018, Hilltop Estates, requested by Brian Carstens on behalf of Bill Carlson, for eight lots and one outlot, on property located at South 82<sup>nd</sup> Street and Pella Road in Lancaster County, Nebraska. (19992149)**

The Chair opened the public hearing and asked if anyone wished to testify in favor of either the Special Permit or Preliminary Plat.

The Clerk administered the oath to Brian Carstens.

Brian Carstens appeared on behalf of Bill Carlson and stated that the community unit plan (CUP) is allowed under the Agriculture (AG) zoning district. He noted that part of the CUP is under the Village of Firth jurisdiction and their subdivision regulations have been met by agreeing to eight, three and one-half acre lots. To the east are the existing Burlington Northern Railroad tracks.

In response to a question asked by Workman, Carstens stated a geotechnical report was completed which indicated that the ground was suitable because of the compaction done at the time of the fill.

Mike DeKalb, Planning Department, requested that a letter and photographs from Darrell TeSelle be submitted into the record (Exhibit A). He summarized the letter by stating that Mr. TeSelle feels he has had water problems in his basement due to dirt work by the railroad and also well water odor.

Campbell stated in a telephone conversation with Mr. TeSelle, he asked for the opportunity to speak to Vincent Dreeszen, groundwater consultant, regarding his concerns.

She stated that the applicant, Bill Carlson, and Brian Carstens, developer, have agreed to leave the public hearing open for one week to allow Darrell TeSelle the opportunity to speak with Vincent Dreeszen.

The Chair recessed the public hearing until Tuesday, November 16, 1999.

5) **NEW BUSINESS:**

**A. Two contracts with the following to provide staff relief for Lancaster Manor:**

**1. Specialty Personnel Services to provide Certified Nursing Assistants at a rate of \$16.25 per hour during weekdays and \$16.95 per hour on weekends and to also provide Licensed Practical Nurses at a weekday rate of \$26 per hour and \$27 per hour on weekends. (19992230)**

**2. Partners In Care to provide Registered Nurses at an hourly rate of \$30, certified Medication Aides at \$18 per hour, Licensed Practical Nurses at an hourly rate of \$23 and Certified Nursing Assistants at \$16 per hour. (19992231)**

**MOTION:** Workman moved and Steinman seconded approval. On call Steinman, Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

**B. A resolution setting a public hearing for Tuesday, December 14, 1999 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the vacation of a portion of a County road located on Hackberry Lane in Hillcrest Heights between Anthony Lane and East Hillcrest Drive in Lancaster County, Nebraska. (19992246)**

**MOTION:** Steinman moved and Workman seconded approval of Resolution 99-2246. On call Heier, Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

**C. Request from the Personnel Policy Board to create the following classifications: (19992243)**

**\* Juvenile Detention Coordinator at a proposed pay grade ranging from \$33,040.80 to \$43,372.16**

**\* Statistical/Modeling Analyst at a proposed pay grade ranging from \$41,381.60 to \$54,922.40**

**MOTION:** Workman moved and Steinman seconded approval. On call Campbell, Steinman, Workman, Heier and Hudkins voted aye. Motion carried.

- D. Application for renewal of an amusement license from the Nebraska State Board of Agriculture to operate the Nebraska State Fair, horse, car, truck and motorcycle racing, simulcasting, ice hockey and skating and other concerts, shows, sports and entertainment events. (19992200)**

**MOTION:** Steinman moved and Heier seconded approval. On call Heier, Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

- E. A request from Lynette Trejo for a refund of real estate taxes for 1997 in the approximate amount of \$101.74. (19992196)**

**MOTION:** Hudkins moved and Steinman seconded approval of a refund of real estate taxes for 1997, in the approximate amount of \$101.74 and a credit for 1998. On call Steinman, Hudkins, Heier, Workman and Campbell voted aye. Motion carried.

- F. Appointment of Susan Holland to the Government Access and Information Committee (GAIC), term to expire January 1, 2000. (19992217)**

**MOTION:** Hudkins moved and Heier seconded approval.

Steinman noted that the appointment of Susan Holland should begin on January 1, 2000 for a one year term.

Both the maker of the motion and the seconder agreed with the explanation regarding the term of the appointment.

**ROLL CALL:** Workman, Campbell, Hudkins, Steinman and Heier voted aye. Motion carried.

- G. Appointment of Mark Lutz to the Visitors Promotion Advisory Committee to fill the unexpired term of Nora Gobel-George ending June 30, 2002.**

**MOTION:** Steinman moved and Heier seconded approval. On call Hudkins, Workman, Heier, Campbell and Steinman voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:
- A. Contracts between the County Engineer and the following relating road improvements:**
- \* Stephen S and Marilyn L H Oborny on Southwest 40<sup>th</sup>, Van Dorn to "A" Streets, in the total amount of \$5,344.75 (5 contracts) (19992224) (19992225) (19992226) (19992235) (19992236)
  - \* Alan L and Pamela M Cox on Southwest 40<sup>th</sup>, Van Dorn to "A" Streets, in the amount of \$617.50 (19992227)
  - \* Erich H and Janet H Broer on Southwest 40<sup>th</sup>, Van Dorn to "A" Streets, in the total amount of \$6,279 (4 contracts) (19992203) (19992204) (19992205) (19992206)
  - \* Emmett C and Frances E Keller on Southwest 40<sup>th</sup>, Van Dorn to "A" Streets, in the amount of \$561 (19992207)
  - \* Linda L and William C Smith on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the total amount of \$3,804.56 (3 contracts) (19992238) (19992239) (19992240)
  - \* Gary R and Irene R Nedved on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the total amount of \$2,240.88 (2 contracts) (19992218) (19992219)
  - \* Joseph P and Emma Marlene Booth on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the total amount of \$4,546 (4 contracts) (19992220) (19992221) (19992222) (19992223)
  - \* Wallace Becker on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the total amount of \$5,111 (2 contracts) (19992228) (19992229)
- B. A leasehold contract between the County Engineering Department and Sam Delisi at Southwest 40<sup>th</sup>, Van Dorn to "A" Streets, in the amount of \$10. (19992237)**
- C. A right-of-entry agreement between the County Engineering Department and Larry Hammer on Agnew Road (Culverts A-132 and A-133) for channel clean out, at no cost to the County. (19992208)**

The Chair noted Commissioner Heier requested that the contracts with Joseph and Emma Booth on Consent Item 6A be removed.

Heier stated he is familiar with the project because he has family members involved. He stated he inquired about the effect on the density issue when the appraiser appraised the property and stated that the Booth's aren't aware of all the options, such as temporary easements and permanent easements. Heier suggested holding the contracts until an explanation, such as an opinion from the County Attorney's Office, can be given regarding options.

Don Thomas, County Engineer, stated there are no time constraint issues and suggested removing all of the contracts in relation to Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets until an opinion from the County Attorney is presented.

Dave Johnson, Deputy County Attorney, stated by removing all the contracts in relation to Pioneers Boulevard it allows uniformity for the County Engineering Department and the County Board.

**MOTION:** Heier moved and Steinman seconded to remove the following contracts from the Consent Items and place on pending: Linda L and William C Smith on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the amount of \$3,804.56 (3 contracts); Gary R and Irene R Nedved on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the amount of \$2,240.88 (2 contracts); Joseph P and Emma Marlene Booth on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the amount of \$4,546 (4 contracts) and Wallace Becker on Pioneers Boulevard, 98<sup>th</sup> to 112<sup>th</sup> Streets, in the amount of \$5,111 (2 contracts). On call Hudkins, Campbell, Steinman Heier and Workman voted aye. Motion carried.

**MOTION:** Steinman moved and Hudkins seconded approval of the remaining Consent Items. On call Campbell, Heier, Steinman, Workman and Hudkins voted aye. Motion carried.

7) **OTHER BUSINESS:**

Mike Morosin, 2055 S Street, appeared and expressed his views and concerns regarding the Emergency Services System (Exhibit B).

8) **ADJOURNMENT:**

**MOTION:** Steinman moved and Heier seconded adjournment of the Board of Commissioners meeting. On call Workman, Hudkins, Campbell, Steinman and Heier voted aye. Motion carried.

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Bruce Medcalf  
County Clerk